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Brenda O. Holmes

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13

PAGES (WITH COVER)

6559

REFERENCE NO

44471/313978

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## COMMENTS

Applicant:

Taio SUGAHARA

Title:

Analysis Result Providing Method and Analysis Result  
Providing System

Serial No./Docket No.:

10/528,281

44471/313978

Filed:

03/17/2005

## PAPERS SUBMITTED:

1. PTOSB/21 - Transmittal form; and
2. Response to Notification of Missing Requirements mailed 09/06/05 with Exhibit A executed Declaration, Exhibit B Notification of Missing Requirements; and Exhibit C Fee copy of form PTO-1390 reflecting missing parts surcharge paid at time of filing of application.

Date: November 7, 2005

By: Brenda O. Holmes, Reg. No. 40,339

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TRANSMISSION RECEIPT DATE/TIME:

COMPLETED BY:

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ATLANTA AUGUSTA CHARLOTTE LONDON RALEIGH STOCKHOLM WASHINGTON WINSTON-SALEM

PAGE 1/13 \* RCVD AT 11/7/2005 2:26:19 PM [Eastern Standard Time] \* SVR:USPTO-EFAX-6/30 \* DNIS:2738300 \* CSID:404 815 6555 \* DURATION (mm-ss):04-18

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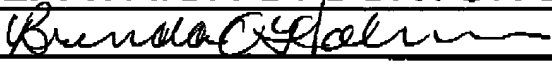
PTO/SB/21 (09-04)

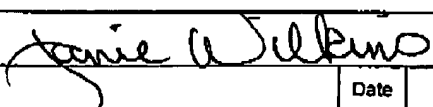
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/528,261
	Filing Date	03/17/2005
	First Named Inventor	Taio SUGAHARA
	Art Unit	3629
	Examiner Name	Not Assigned
Total Number of Pages in This Submission	Attorney Docket Number	44471/313978

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<b>Remarks</b>	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	KILPATRICK STOCKTON LLP	
Signature		
Printed name	Brenda O. Holmes	
Date	11-07-2005	Reg. No. 40,339

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO's Centralized Facsimile Number (571) 273.8300 on the date shown below.		
Signature		
Typed or printed name	Janie Wilkins	Date 11/7/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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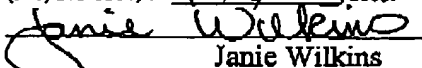
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Taio SUGAHARA  
SERIAL NO.: 10/528,261  
FILED: 03/17/2005  
FOR: ANALYSIS RESULT PROVIDING  
METHOD AND ANALYSIS RESULT  
PROVIDING SYSTEM

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTORNEY DOCKET NO.: 44471/313978

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8  
I hereby certify that this correspondence is being transmitted to the  
United States Patent PCT International Application Facsimile Number  
(571) 273-8300, on 11/7/2005.

  
Janie Wilkins

DATE: November 7, 2005

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO.US)

Sir:

This paper is submitted in response to the "Notification of Missing Requirements" mailed on September 6, 2005. In response, an executed Declaration signed by inventor Taio SUGAHARA (Exhibit A) is being submitted (Exhibit A) and a copy of the Notification of Missing Requirements under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO.US) (Exhibit B). Missing Parts surcharge of \$130.00 paid at time of filing of application as evidenced by copy of form PTO-1390 showing Missing Parts surcharge included in fee calculation is attached as Exhibit C.

No other fee is believed to be due, however, if this belief is incorrect, the Commissioner is authorized to debit Kilpatrick Stockton deposit account no. 11-0855 for any additional fees due.

Respectfully submitted,



Brenda O. Holmes  
Registration No. 40,339

OF COUNSEL:  
KILPATRICK STOCKTON LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309-4530  
(404) 815-6500

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Appln. No. 10/528,261  
Response Dated 11/06/2005  
Response to Notice to File Missing Parts of 09/06/2005  
Attorney Docket No. 44471/313978

EXHIBIT A

**COPY****ORIGINAL**

PTO-1300 (Rev. 12-2004)

Valid for use through 3/31/2007. OMB 0851-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER 44471/313978</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
<b>INTERNATIONAL APPLICATION NO. PCT/JP2003/011925</b>	<b>INTERNATIONAL FILING DATE September 18, 2003</b>	<b>PRIORITY DATE CLAIMED September 19, 2002</b>
<b>TITLE OF INVENTION</b> Analysis Result Providing Method and Analysis Result Providing System		
<b>APPLICANT(S) FOR DO/EO/US</b> Taio SUGAHARA		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected (Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - ☐ is attached hereto (required only if not communicated by the International Bureau).
  - ☒ has been communicated by the International Bureau.
  - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - ☒ is attached hereto.
  - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - ☐ are attached hereto (required only if not communicated by the International Bureau).
  - ☐ have been communicated by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☒ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
- ☐ Other items or information:

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 18 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 2

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NOV 07 2005

PTO-1390 (Rev. 12-2004)  
Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. <b>PCT/JP2003/011925</b>		ATTORNEY'S DOCKET NUMBER <b>44471/313978</b>	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$ 300	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$ 200	
<input checked="" type="checkbox"/> c) Search fee..... \$500.00				\$ 500	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				<b>\$ 1000</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
50	- 100 = 0	/50 = 0	x \$250.00	\$ 0	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	30	- 20 = 10	x \$50.00	\$ 500	
Independent claims	7	- 3 = 4	x \$200.00	\$ 800	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 2560</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 1280	
<b>SUBTOTAL =</b>				<b>\$ 1280</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1280</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1280</b>	
Amount to be refunded:					\$
Amount to be charged					\$ 1280
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0855. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Customer No. 23370 John S. Pratt, Esq. Kilpatrick Stockton LLP 1100 Peachtree Street, Suite 2800 Atlanta, GA 30309-4530 404.815.6500</p>					
				<p>Certificate of Mailing 37 CFR 1.8(2)(A) Express Mail No.: EV 334679537 US</p> <p><i>Brenda O. Holmes</i> SIGNATURE Brenda O. Holmes NAME 40,339 REGISTRATION NUMBER</p>	

FORM PTO-1390 (REV. 12-2004)

Page 2 of 2

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Appln. No. 10/528,261  
Response Dated 11/06/2005  
Response to Notice to File Missing Parts of 09/06/2005  
Attorney Docket No. 44471/313978

**EXHIBIT B**

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00204422



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,261	Taio Sugahara	44471/313978
INTERNATIONAL APPLICATION NO.		
PCT/JP03/11925		
LA. FILING DATE	PRIORITY DATE	
09/18/2003	09/19/2002	

23370  
JOHN S. PRATT, ESQ  
KILPATRICK STOCKTON, LLP  
1100 PEACHTREE STREET  
ATLANTA, GA 30309

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SEP 08 2005

CONFIRMATION NO. 2057  
371 FORMALITIES LETTER  
\*OC000000016943095\*  
\*OC000000016943095\*

Date Mailed: 09/08/2005

DOCKETING

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/17/2005
- Copy of the International Search Report filed on 03/17/2005
- Copy of IPE Report filed on 03/17/2005
- Information Disclosure Statements filed on 03/17/2005
- Small Entity Statement filed on 03/17/2005
- Copy of references cited in ISR filed on 03/17/2005
- U.S. Basic National Fees filed on 03/17/2005
- Priority Documents filed on 03/17/2005

KS Docketing

Docketed for: 10/6/05  
Entered on: 9/15/05  
Initials: [signature]  
Previously Entered: \_\_\_\_\_

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,261	PCT/JP03/11925	44471/313978

FORM PCT/DO/EO/905 (371 Formalities Notice)

Appln. No. 10/528,261  
- Response Dated 11/06/2005  
Response to Notice to File Missing Parts of 09/06/2005  
Attorney Docket No. 44471/313978

EXHIBIT C